

REMARKS

The Office Action of February 24, 2006, has been received and considered. Claims 1, 20, 21, 33, 36, 48 and 50 have been amended, and claims 51-60 added. Claims 2, 10-14, 22-32, 34, 35, 37-42, 44-46 and 49 are canceled. Reconsideration of the application as amended is requested.

All of the previously presented claims have been rejected under 35 USC 102 as being anticipated by seven different patents – namely, 1) US Patent No. 4,067,657 to Kaarlela, 2) US Patent No. 5,913,605 to Jusselin, 3) US Patent No. 5,983,534 to Robinson, 4) US Patent No. 5,992,083 to Mack, 5) US Patent No. 6,301,810 to Fidler, 6) US Patent No. 6,708,431 to Robinson, and 7) US Patent Application Publication No. 2003/0070330 to Olds. As discussed below, none of these references anticipate the pending claims. Reconsideration is requested.

Claims 1 and 20 each recites a lock for releasably holding a wear component to a base component. The lock includes a body and a locking member that are coupled together as an integral unit for insertion along an axis into an opening defined in the components. The locking member is rotatably secured to the body for movement between a release position and a locking position. The locking member is within the peripheral shape of the opening in the release position, but outside of the peripheral shape in the locking position to set opposite an inner surface formed in the opening to prevent removal of the lock.

The Kaarlela lock includes a set screw 19 that is turned to press camming members 16 against the wall of bore 15 to tightly hold the lock in the assembly. Similarly, in Fidler, the lock includes a bolt 52 that drives wedge 48 into a locking

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position. Neither the Kaarlela lock nor the Fidler lock has a rotatable locking member that is "within the peripheral shape of the opening" in the release position, and moved to outside the peripheral shape to set "opposite an inner surface formed in the opening to prevent removal of the lock from the opening."

None of the locks disclosed in Jusselin, Olds, Robinson '534 or Mack discloses a lock having a body and rotatable a locking member that are coupled together as an integral unit for insertion into the opening.

Robinson '431 discloses a lock that is fit into the nose before the point and nose are assembled together. The outer projections of the lock are passed through channels formed along the interior of the point when the point is mounted on the nose. Once the point is fully mounted on the nose, the flanges are turned to prevent the removal of the point. Accordingly, the lock in Robinson '431 is not inserted into the opening along the axis of rotation.

Claim 15, 47 and 50 each recites a lock provided with a shank having a non-circular cross sectional configuration that is fit into a hole formed in a resilient part. The resilient part is stretched when the locking member is moved between the release and locking positions to resist such motion. Claims 51 and 56 each recites a lock including a locking member having a shank and a lateral projection that rotates without axial translation, and a non-rotating resilient member that engages a side of the shank to resist turning of the locking member between the release and locking positions.

Kaarlela, Fidler and Mack each disclose a lock that has no resilient parts. Neither Olds, Robinson '534, Robinson '431 nor Jusselin disclose a lock having

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resilient part with a hole for receiving a shank of a locking member as recited in claims 15 and 47. In regard to claims 51 and 56, Robinson '534 and Olds each fails to disclose a non-rotating resilient part that engages the shank of the locking member to resist its turning. The Jusselin lock lacks a locking member that rotates free of axial translation between a release position and a locking position. Robinson '431 does not disclose a lock that is within the peripheral outline of the hole extending through the wear component in the release position and outside of the peripheral outline in the locking position.

Claims 33 and 48 each recites a lock for securing a wear component to a mounting portion of an excavator. The lock includes a body and a locking member that bear against a first rearward-facing surface of an opening in the mounting portion and a second forward-facing surface of an opening in the wear component to hold the wear component to the mounting portion. The body and locking member define a width between the first and second surfaces, wherein the width is larger in the locking position than in the release position to tighten the fit of the wear component onto the mounting portion of the excavator.

In Kaarlela, the set screw 19 is the only rotating part. However, no portion of the set screw bears against either the mounting portion or the wear component as claimed for the locking member. Likewise, only bolt 52 in the Fidler lock rotates. At no time does bolt 52 bear against either the mounting portion or the wear component. None of the other patents cited in the Action discloses a lock with an expanding width to tighten the fit of the wear component onto the mounting portion of an excavator.

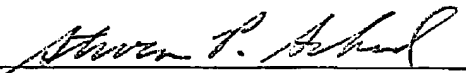
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Claim 36 recites a lock with a body and a rotatable locking member having a head for rotating the locking member. The head includes pair of ledges for removing the lock. None of the patents cited in the Action discloses such a head.

For all of the above discussed reasons, Applicant submits that claims 1, 3-9, 15-21, 33, 36, 43, 47, 48 and 50-60 are allowable. A notice to this effect is solicited.

Respectfully submitted,

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